

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/590,489	COHEN, MARC S.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Charles Chow	2685	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Charles Chow. (3) \_\_\_\_.
- (2) Steven Fallow. (4) \_\_\_\_.

Date of Interview: 23 May 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_.

Claim(s) discussed: all claims.

Identification of prior art discussed: N/A.


Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 5/23/05  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Attorney authorized examiner to modify specification by replacing paragraph beginning at page 5, line 8 with following changes; and also to modify claims 1, 14, 19, 21, 22, in below, per email from attorney May 23, 2005.

In the Specification

Please replace the paragraph beginning at page 5, line 8, with the following amended paragraph:

The preferred type of message content is promotional, e.g., advertisement messages. These messages might include samples of music. It is contemplated, however, that other types of promotional, informational or instructional messages may be broadcast such as: travel and traffic information, news, hazard warnings, etc.

In the Claims:

1. (Currently amended) A wireless messaging method for use with recorded digital audio media played in digital audio media players, the method comprising steps of:

providing a promotional, informational or instructional message broadcast to digital audio media players;

then, within a digital audio media player,

receiving promotional, informational or instructional messages as a result of said step of providing,

storing received ~~message~~ promotional, informational or instructional messages within the digital audio media player;

and

playing a stored ~~message~~ promotional, informational or instructional message in response to a playback operation of the digital audio media player.

14. (Currently amended) A wireless messaging promotion method for use with recorded digital audio media played in digital audio media players, the method comprising steps of:

arranging distribution of portable digital audio media players capable of playing digital audio media, receiving

~~message~~ promotional, informational or instructional messages from a wireless broadcast, storing received

~~message~~ promotional, informational or instructional messages in a digital audio media player, and playing a stored

~~message~~ promotional, informational or instructional message in response to a playback operation of the digital audio media player to a target group of people;

providing a ~~message~~ promotional, informational or instructional message broadcast to digital audio media players distributed in said step of distributing.

15. (Currently amended) The method according to claim 14, further comprising a step of arranging manufacture, prior to said step of distributing, of digital audio media players to be distributed in said step of distributing.

16. (Currently amended) The method according to claim 15, wherein said step of arranging includes arranging for marking of digital audio players to be distributed with promotion indicia.

18. (Currently amended) The method according to claim 14, wherein said step of arranging comprises distributing to at least two target groups of people and said step of providing comprises providing a separate broadcast to digital audio players distributed to separate target groups of people.

19. (Currently amended) The method according to claim 18, wherein digital audio media players having different receiving channels are distributed to separate target groups of people and the separate broadcast is achieved by using separate channels.

21. (Currently amended) A wireless message receiving and playing digital audio media player comprising:  
a digital audio medium module which plays digital audio media;

a wireless receiver module which receives ~~message~~ promotional, informational or instructional messages from a wireless broadcast, stores received ~~message~~ promotional, informational or instructional messages, and outputs stored ~~message~~ promotional, informational or instructional messages in response to a playback operation;

an audio output which produces audio in response to playing of digital audio media or outputting of

~~message~~ promotional, informational or instructional messages from memory;

an interface to interface the audio output to the digital audio medium module and the wireless receiver module.

22. (Currently amended) A messaging method for use with recorded digital audio media played in digital audio media players, the method comprising steps of:

loading, by pre-loading or receiving from a wireless broadcast, ~~message~~ promotional, informational or instructional messages into memory of digital audio media players;

then, within a digital audio media player,  
storing ~~message~~promotional, informational or instructional messages received from said step of loading within the  
digital audio media player; and  
playing a stored ~~message~~promotional, informational or instructional message in response to a playback operation of  
the digital audio media player.